

BILL ANALYSIS

Senate Research Center

S.B. 1323
By: Wentworth
Intergovernmental Relations
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Enrolled

DIGEST

Current law does not require developers of real estate that are intended to rely on groundwater to show proof of an adequate groundwater supply before property is sold. This leads to problems as rural areas become developed and increasing demands are placed on an inadequate supply. S.B. 1323 will establish provisions requiring certain plats for the subdivision of land to include proof of ground water supply.

PURPOSE

As enrolled, S.B. 1323 requires certain plats for the subdivision of land to include proof of groundwater supply.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Natural Resource Conservation Commission in SECTIONS 1 and 2 (Section 212.0101(b) and Section 232.0031(b), Local Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 212A, Local Government Code, by adding Section 212.0101, as follows:

Sec. 212.0101. **ADDITIONAL REQUIREMENTS: USE OF GROUNDWATER.** Authorizes the municipal authority responsible for approving plats by ordinance, if a person submits a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under the land, to require the plat application to have attached to it a statement that includes certain information. Requires the Texas Natural Resource Conservation Commission (TNRCC), by rule, to establish the appropriate form and content of a certification to be attached to a plat application.

SECTION 2. Amends Chapter 232A, Local Government Code, by adding Section 232.0031, as follows:

Sec. 232.0031. **ADDITIONAL REQUIREMENTS: USE OF GROUNDWATER.** Authorizes the commissioners court of a county responsible for approving plats by ordinance, if a person submits a plat for the subdivision of a tract of land for which the source of the water supply intended for the subdivision is groundwater under the land, to require the plat application to have attached to it a statement that includes certain information. Requires TNRCC, by rule, to establish the appropriate form and content of a certification to be attached to a plat application.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.